

**BY-LAWS**  
**MISSOURI SPECIAL EDUCATION ADVISORY PANEL**

ARTICLE I  
Name of Panel

Section I. This panel shall be known as the Missouri Special Education Advisory Panel.

Section II. Authority for the creation of such a statewide panel is found in Section 162.690 RSMo and 20 USC 612(a) (21).

ARTICLE II  
Purpose of the Panel

Section I. The purpose of the Missouri Special Education Advisory Panel is to provide policy guidance on special education and related services and to carry out those specific and general functions set forth in the above referenced statutes. The panel shall: (1) Advise the State Education Agency (SEA) of unmet needs within the State in the education of children with disabilities, (2) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities, (3) Advise the SEA in developing evaluations and reporting on data to the US Office of Education under Section 618 of the Act, (4) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act, (5) Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities, and (6) [advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons.](#)

ARTICLE III  
Membership

Section I. The Missouri Special Education Advisory Panel members shall be appointed by the Commissioner of Education to serve at his discretion. The majority of members appointed shall be individuals with disabilities or parents of children with disabilities. The panel membership shall be composed of individuals involved in, or concerned with the education of children with disabilities including – (1) Parents of children with disabilities (ages birth through 26), (2) Individuals with disabilities, (3) Teachers, (4) Representatives of institutions of higher education that prepare special education and related services personnel, (5) State and local education officials, including officials who carry out activities under subtitle B of the VII of the McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.), (6) Administrators of programs for children with disabilities, (7) Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities, (8) Representatives of private schools and public charter schools, (9) At least one representative of a vocational, community or business organization concerned with the provision of transition services to children with disabilities, (10) Representative from the State child welfare agency responsible for foster care, and (11) Representatives from the State juvenile and adult corrections agencies.

Section II. Members are appointed for a three (3) year term and may be reappointed for no more than three (3) consecutive terms. Representatives of State agencies shall serve as long as their agency directs.

ARTICLE IV  
Officers

- Section I. Officers of the panel shall be a Chairperson, Vice Chairperson and Secretary.
- Section II. The officers shall be elected by majority of the members present and voting. Such elections shall be conducted annually during the June meeting of each year. Officers may be elected to successive terms.
- Section III. The Chairperson shall be the principal executive officer of the panel. Duties may include but not be limited to, calling the meetings, presiding at all meetings, assignment of committees, representing the panel in person or by designee in any such public capacity or function deemed appropriate by the panel and other duties incident to the office of Chairperson as prescribed by the panel.
- Section IV. In the absence of the Chairperson, or in the event of the Chairperson's inability or refusal to act, the Vice Chairperson shall perform the duties of the Chairperson. The Vice Chairperson shall perform other duties as may be assigned by the Chairperson of the panel.
- Section V. An Acting Chairperson may be elected by a majority vote of the members present and voting when neither the Chairperson or Vice Chairperson is available to preside at the meeting.
- Section VI. The Secretary shall be responsible for safeguarding all official proceedings and shall perform other duties as may be assigned by the Chairperson or the panel.

#### ARTICLE V Meetings

- Section I. The panel shall hold at least four (4) scheduled meetings each calendar year, [or shall meet as often as necessary to conduct its business.](#)
- Section II. A quorum shall consist of the members present. A quorum must be present in order for business to be conducted.
- Section III. Members shall give prior notice to the Department of Elementary and Secondary Education or the Secretary when they will not attend the meeting of the panel. Two (2) consecutive unexcused absences or three (3) consecutive excused absences from scheduled meetings shall be deemed as a resignation from the panel.
- Section IV. Proxy voting shall not be permitted and panel members may not send alternates to the meetings.  
[Discussion – to be continued: Involvement of the Alumni Group – See p14 of SEAP PowerPoint Training notebook and SICC](#)
- Section V. All meetings of the panel shall be open to the public except as provided in Chapter 610 RSMo.
- Section VI. The Department of Elementary and Secondary Education shall be responsible for assisting the Chairperson in securing meetings sites, preparing facilities, recording and preparing minutes and other administrative functions as necessary.
- [Section VII. By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the SEA. This report must be made available to the public in a manner consistent with other public reporting requirements of Part B of the Act.](#)

- Section VIII. Official minutes must be kept on all panel meetings and must be made available to the public on request.
- Section IX. All advisory panel meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.
- Section X. Interpreters and other necessary services must be provided at panel meetings for panel members or participants.
- Section XI. The advisory panel shall serve without compensation but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties.

#### ARTICLE VI Executive Committee

- Section I. The executive committee shall consist of the Chairperson, Vice Chairperson, Secretary, previous Chairperson, and four (4) members at large. One member shall be a parent of an individual with a disability or an individual with a disability. In the event that none of the elected officers are parents of a child with a disability or an individual with a disability, the panel shall elect an individual from its membership to serve on the executive committee.
- Section II. The executive committee shall have authority to conduct routine or emergency business of the panel between meetings. Such action shall be ratified at the next meeting of the panel as a whole.
- Section III. Meetings of the executive committee shall be called by the Chairperson upon request of two (2) members of the committee.
- Section IV. The Assistant Commissioner of the Division of Special Education, Department of Elementary and Secondary Education, shall serve as an ex officio member of the executive committee.
- Section V. The executive committee shall have the responsibility of the preparation of an agenda for all scheduled meetings.

#### ARTICLE VII Committees

- Section I. The Chairperson shall be empowered to appoint such standing and temporary committees as may be necessary to carry out the duties and responsibilities of the panel.

#### ARTICLE VIII Parliamentary Authority

- Section I. The rules contained in "Robert's Rules of Order, Revised" shall govern this panel action in all cases to which they are applicable.
- Section II. The Chairperson may appoint a member to serve as parliamentarian.

#### ARTICLE IX Procedures to Amend the By-Laws

- Section I. These by-laws may be amended at any regular meeting by two-thirds (2/3) of the members present and voting.
- Section II. The text of any proposed by-law shall be presented to the executive

committee before the close of business at any regularly scheduled meeting of the panel. The executive committee shall consider the proposed amendment and provide the membership an opportunity to vote on the proposed amendment as a part of the next regularly scheduled meeting.

Amended 11/05